

02.09.2025
SL.09
Ct.No.28
NB

CRM (A) 1943 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pingla P.S. Case No.129 of 2021 dated 02.05.2021 under Sections 341/302/379/34 of the Indian Penal Code.

And

In the matter of: Srimanta Khanra & Ors. ... petitioners

Mr. Rajdeep Majumder Sr.Adv.,
Mr. Moyukh Mukherjee,
Ms. Aishwarya Bazaz,
Mr. Soumya Raha.
...for the petitioners.

Mr. Madhusudan Sur Id. APP.,
Ms. Baisakhi Chatterjee.
...for the State.

Learned senior counsel appearing on behalf of the petitioners submits that during pendency of this application, the petitioner nos.9 and 10 have been arrested. As such, the application for anticipatory bail is not pressed so far as the present petitioner nos.9 and 10 are concerned.

Accordingly, the application for anticipatory bail is dismissed as not pressed so far as the petitioner nos.9 and 10 are concerned.

Learned senior counsel further submits that the petitioners have been falsely implicated in this case out of political grudge. In any event, the petitioner nos.3, 9, 10, 11, 12, 13 and 14 were not named by any of the eye-witnesses.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that there are eye-witnesses to

the incident. According to the Section 164 statement of an independent witness and the account of the son of the victim in the FIR as well as in a statement before the learned Magistrate, the names of the petitioner nos.1, 2, 4, 5, 6, 7 and 8 transpire. However, the names of the petitioner nos.3, 9, 10, 11, 12, 13 and 14 transpire only from the statements of the co-accused.

Considering the above and in view of the materials available in the case diary, the respective alleged roles ascribed to each of the present petitioners and the fact that charge sheet has been submitted, while I am inclined to grant anticipatory bail to the petitioner nos.3 (Sukdev Habar), 11 (Padmalochan Ghorai), 12 (Manik Batul), 13 (Asit Nayek) and 14 (Ranajit Maity), the application for anticipatory bail of the petitioner nos.1(Srimanta Khanra), 2 (Asit Batul @ Mithun), 4 (Khokan Jana), 5 (Surajit Jana), 6 (Subhankar Batul), 7 (Ajit Habar) and 8 (Sunil Bera) is rejected.

Accordingly, in the event of arrest, the petitioner nos.3 (Sukdev Habar), 11 (Padmalochan Ghorai), 12 (Manik Batul), 13 (Asit Nayek) and 14 (Rajanit Maity) shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner nos.3, 11, 12, 13 and 14 shall not threaten or intimidate witnesses or tamper with evidence and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly.

The application for anticipatory bail being **CRM (A) 1943 of 2025** is, thus, allowed.

The personal appearance of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)